

REMARKS

Reconsideration of this application is respectfully requested.

Applicants acknowledge with appreciation the Examiner's indication that claims 9, 13, 14, 18 and 28 would be allowable if rewritten in independent form, including all the limitations of the base claim and any intervening claim.

Claim 8 has been rewritten to include the features of claim 9, which is canceled without prejudice. Claim 8 should now be in condition for allowance. Claims 10-12 and 15 depend on claim 8, and should be allowed for at least the same reasons as claim 8.

Claim 13 has been rewritten in independent form, including the features of claims 10 and 12, and the features of claim 8, except for the "wherein" clause of claim 8. Applicants submit that the "wherein" clause of claim 8 is not material to the patentability of claim 13, and that claim 13 should be allowed. Claim 14 is dependent on claim 13, and should be allowed for at least the same reasons.

Claim 16 has been rewritten in independent form, including the features of claims 8 and 15. Claim 16 should now be allowable.

Claim 28 has been rewritten in independent form, including the features of claim 27, which is canceled without prejudice. Claim 28 should now be in condition for allowance.

Claims 1, 3-8, 10-12, 15, 17-21 and 27 were rejected under 35 U.S.C. § 102 as being anticipated by US 6,421,964 (Schiedegger et al.). Claim 27 is canceled, obviating the rejection thereof. The rejections of claims 8 and 10-12 and 15 are addressed by the amendments described above.

Claims 1 is amended to require:

one of said soffit receiver component and said siding accessory receiver component having an attachment portion that is shaped and positioned to be attached to a building, and

an additional portion of said trim accessory, separate and distinct from said attachment portion, the additional portion having a

plurality of vent apertures disposed therethrough, said vent apertures located so that they are substantially hidden from view.

Amended claim 1 requires an additional portion that has the vent apertures, the additional portion separate from the attachment portion. By providing a separate additional portion with the vent apertures, the device of claim 1 avoids having the vent apertures blocked by the building surface to which the trim accessory is attached.

Schiedegger et al. neither disclose nor suggest the features of claim 1. Schiedegger's apertures are mounting apertures, positioned on the attachment portion of Schiedegger's accessory. Schiedegger's apertures are positioned so that they inherently become blocked by the building surface to which the attachment portion is attached. Schiedegger's apertures are suitable for mounting, but are positioned on the accessory in a location (i.e., the attachment portion) that precludes their use as vent apertures.

Because Schiedegger fails to disclose or suggest locating his vent apertures on an additional portion separate from the attachment portion, and because Schiedegger's mounting apertures are incapable of being used as vent apertures, claim 1 is not anticipated by Schiedegger. The rejection of claim 1 should be withdrawn.

Claims 3-7 are dependent on claim 1, and should be patentable for the same reason as claim 1. Claim 17 has also been amended to include similar features to the features added to claim 1. Claims 18-21 are dependent on claim 17. Therefore, claims 1, 3-7 and 17-21 should all be allowable.

Claim 2 was rejected under 35 U.S.C. § 103 as being unpatentable over Schiedegger et al. in view of Bachman. Bachman was cited for disclosing a PVC bracket, but fails to cure the deficiencies of Schiedegger et al. with respect to the features of base claim 1. Therefore, the combination of Schiedegger et al. and Bachman fails to disclose or suggest claim 2, and the rejection of claim 2 should be withdrawn.

Claims 22-26 were rejected under 35 U.S.C. § 103 as being unpatentable over Schiedegger et al.

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Claims 22 and 26 are amended to require, "installing the trim accessory on the exterior surface of the building such that the vent apertures are hidden from the view of an observer located beneath the trim accessory, without installing a separate piece to cover the vent apertures."

Schiedegger neither discloses nor suggests this feature. Schiedegger teaches that a molding member 20 is inserted into Schiedegger's hanger assembly, and the molding member 20 covers up the mounting apertures 48, 49. The bottom mounting slots 50 can be covered by the top panel of siding. Thus all of Schiedeggers mounting apertures are only hidden from view when they are covered up by separate trim or siding members.

Therefore, amended claims 22 and 26 should be allowable. Claims 23-25 are dependent on claim 22, and should be patentable for at least the same reasons.

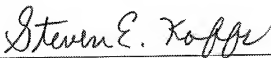
In view of the foregoing amendments and remarks, Applicant submits that this application is in condition for allowance. Early notification to that effect is respectfully requested.

The Assistant Commissioner for Patents is hereby authorized to charge any additional fees or credit any excess payment that may be associated with this communication to deposit account 04-1679.

Respectfully submitted,

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